

The U.S. Commission on Ocean Policy, Pew Oceans Commission, and the Joint Ocean Commission Initiative have all established creation of a comprehensive ocean observing system as a top priority. In fact, Admiral James Watkins, Chair of the U.S. Commission on Ocean Policy and Cochair of the Joint Oceans Commission Initiative, has testified that an oceans observing system, and I quote, "is probably the most important single program. I think if it were to be implemented properly and funded to the extent we have recommended in our report, it will be one of the most important things we can do for future decision making."

Implementation of the Integrated Ocean Observing System will have a myriad of positive impacts. Implementation will, one, improve predictions of climate change and weather and their effects on coastal communities, including impacts on water and energy management; two, improve the safety and efficiency of marine operations; three, improve national and homeland security, particularly within ports and the Nation's heavily populated coastal regions; and, fourth, enable the sustained use of ocean and coastal resources and better manage fisheries.

In addition to monitoring and forecasting climate change, the Ocean Observing System would protect coastal communities and economic interests of oceangoing industries like shipping and commercial fishing by improving warnings of tsunamis, hurricanes, coastal storms and other natural hazards.

The Integrated Ocean Observing System is not just another combination of data satellites and buoys. It has real-time and real life practical applications. In the past, regional ocean systems have provided early warnings of harmful algal blooms that can severely impact the shellfish industry. Scientists use the regional system to target testing areas, and managers use it to issue timely and necessary warnings to protect public health. The Coast Guard is another frequent user. They look to the system for critical information to aid in search and rescue operations.

Fishermen have used Maine's Ocean Observing System for years for real time information on sea conditions and weather. More observations provide more data and allow fishermen to make informed and safe decisions. I would just say in that context that I have had fishermen in Maine tell me that whereas they used to be gambling on what the weather might be 7 to 10 miles offshore, now they can look at their computer, they can get real-time data from a buoy 7 miles offshore and know whether or not it is safe to go out that distance.

Many elements of a national ocean observing system are already in place, but currently they operate independently. Legislation is needed to formally define the fiduciary, legal and oversight structure to enable the inte-

gration of the disparate components of the ocean, coastal and Great Lakes observing activities. Legislation authorizing an integrated system will ensure the coordination and integration among all the elements of a national system, both Federal and regional, and would provide legal authority for sharing funds across Federal agencies for implementing IOOS.

A national Integrated Ocean Observing system would enable managers at all levels, local, regional and National, to make informed and timely decisions to manage our ocean resources and protect our coastal communities.

To summarize, what we are talking about is being able to get information about our oceans in the same way and on the same scale that today we get information about the atmosphere, and because of the interconnection of what is happening in the atmosphere and what is happening in the oceans, this will dramatically increase and expand our understanding of both the atmosphere and the oceans. It is an important piece of legislation.

I urge my colleagues to support this measure.

Mr. BISHOP of Utah. Madam Speaker, I yield back the balance of my time.

Mr. KENNEDY. Madam Speaker, with no other speakers, I would just once again conclude that Rhode Island looks forward to hosting this ocean observatory system that the Representative from Maine has proposed, if not objected to by the gentleman from Hawaii, another sea-going State.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Rhode Island (Mr. KENNEDY) that the House suspend the rules and pass the bill, H.R. 2342, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1430

#### CAPTIVE WILDLIFE SAFETY TECHNICAL AMENDMENTS ACT OF 2008

Mr. ABERCROMBIE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4933) to amend the Lacey Act Amendments of 1981 to protect captive wildlife and to make technical corrections, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4933

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Captive Wildlife Safety Technical Amendments Act of 2008".

#### SEC. 2. CAPTIVE WILDLIFE SAFETY AMENDMENTS.

(a) PROHIBITED ACTS.—Section 3 of the Lacey Act Amendments of 1981 (16 U.S.C. 3372) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A), by inserting "or" after the semicolon;

(B) in subparagraph (B), by striking "; or" and inserting a semicolon; and

(C) by striking subparagraph (C); and

(2) in subsection (e)—

(A) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (3), (4), (5), and (6) respectively; and

(B) by striking "(e)" and all that follows through "Subsection (a)(2)(C)" in paragraph (1) and inserting the following:

"(e) CAPTIVE WILDLIFE OFFENSES.—

"(1) IN GENERAL.—It is unlawful for any person—

"(A) to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any live animal of any prohibited wildlife species; or

"(B) to attempt to commit any act described in subparagraph (A).

"(2) NONAPPLICABILITY.—This subsection";

(C) in paragraph (2) (as redesignated by subparagraph (A))—

(i) by striking "a" before "prohibited" and inserting "any";

(ii) by striking "(3)" and inserting "(4)"; and

(iii) by striking "(2)" and inserting "(3)";

(D) in paragraph (3) (as redesignated by subparagraph (A))—

(i) in subparagraph (C)—

(I) in clauses (ii) and (iii), by striking "animals listed in section 2(g)" each place it appears and inserting "prohibited wildlife species"; and

(II) in clause (iv), by striking "animals" and inserting "prohibited wildlife species"; and

(ii) in subparagraph (D)—

(I) by striking "the animal" the first place it appears and inserting "an animal of any prohibited wildlife species"; and

(II) by striking "the animal" the second place it appears and inserting "that animal";

(E) in paragraph (4) (as redesignated by subparagraph (A)), by striking "(2)" and inserting "(3)";

(F) in paragraph (6) (as redesignated by subparagraph (A))—

(i) by striking "subsection (a)(2)(C)" and inserting "this subsection"; and

(ii) by striking "fiscal years 2004 through 2008" and inserting "fiscal years 2009 through 2013"; and

(G) by inserting after paragraph (6) (as redesignated by subparagraph (A)) the following:

"(7) APPLICATION.—This subsection shall apply beginning on the effective date of regulations promulgated under this subsection."

(b) CIVIL PENALTIES.—Section 4(a) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(a)) is amended—

(1) in paragraph (1), by striking "subsections (b) and (d)" and inserting "subsections (b), (d), and (e)"; and

(2) in paragraph (1), by striking "section 3(d)" and inserting "subsection (d) or (e) of section 3";

(c) CRIMINAL PENALTIES.—Section 4(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(d)) is amended—

(1) in paragraphs (1)(A) and (1)(B) and in the first sentence of paragraph (2), by striking "subsections (b) and (d)" each place it appears and inserting "subsections (b), (d), and (e)"; and

(2) in paragraph (3), by striking "section 3(d)" and inserting "subsection (d) or (e) of section 3";

(d) CORRECTION OF PRIOR AMENDMENT.—

(1) CORRECTION.—Section 102(c) of Public Law 100-653 (102 Stat. 3826) is amended by striking "section 3(b)" and inserting "subsection 3(b)".

(2) EFFECTIVE DATE.—This subsection shall take effect upon enactment of Public Law 100-653.

### SEC. 3. APPLICABILITY PROVISION AMENDMENT.

Section 3 of the Captive Wildlife Safety Act (117 Stat. 2871; Public Law 108-191) is amended—

(1) in subsection (a), by striking “(a) IN GENERAL.—Section 3” and inserting “Section 3”; and

(2) by striking subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Hawaii.

#### GENERAL LEAVE

Mr. ABERCROMBIE. Madam Speaker, I ask unanimous consent that all Members may have 5 days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ABERCROMBIE. Madam Speaker, I yield myself such time as I may consume.

H.R. 4933, the Captive Wildlife Safety Technical Amendments Act of 2008, was introduced by my colleague from Guam (Ms. BORDALLO). As Mr. KENNEDY indicated, unfortunately, she cannot be here in person at the moment because she is on her way here from Guam, but hopefully will arrive before the end of the proceedings. Coming as I do, Madam Speaker, on a 5,000 mile one-way commute, I have a lot of empathy and sympathy for her journey. But the issue before us today is very, very important both to her and to Members of the House and, by extension, the Nation.

The Captive Wildlife Safety Act, Public Law 108-191, amended the Lacey Act Amendments of 1981, and that made it unlawful for any person to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any prohibited wildlife species.

After the law was enacted, the Fish and Wildlife Service and the Department of Justice identified technical drafting problems that made full implementation and enforcement impossible. H.R. 4933 would make those technical changes to the law needed to allow the original intent of the legislation to be achieved.

Madam Speaker, on a personal note, I might add that, under Chairman Pombo, I had the privilege of traveling with him to Africa for the CITES, Convention on International Treaty on Endangered Species, so we could see with our own eyes what the consequences are by not having legislation like this correctly in place. The wildlife species are totally dependent upon human beings as the stewards of this planet and, most certainly, as the stewards of their welfare and for the salvation of endangered species, not just in our

country, but overseas as well. Therefore, I ask Members on both sides to support passage of this noncontroversial bill.

May I say also, Madam Speaker, what a privilege it is to be on the floor with Mr. BISHOP of Utah. I have the honor of serving with him on the Resources Committee, and have always valued his insight and perspective.

I reserve the balance of my time.

Mr. BISHOP of Utah. I appreciate those kind words, and I will try to be as introspective as I possibly can here.

Public Law 108-191 made it illegal to buy, sell, or trade certain large exotic cats in interstate or foreign commerce. These include cheetahs, cougars, jaguars, leopards, lions, tigers, and bears, oh my. The measure did not ban the private ownership of these cats, and specific exemptions were provided for qualified aquariums, circuses, sanctuaries, and zoos.

In the 5 years that this law has been enacted, the U.S. Fish and Wildlife Service has been unable to prosecute anyone because of drafting deficiencies; so, I would urge an “aye” vote on H.R. 4933.

I yield back the balance of my time.

Mr. ABERCROMBIE. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Hawaii (Mr. ABERCROMBIE) that the House suspend the rules and pass the bill, H.R. 4933, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

### HYDROGRAPHIC SERVICES IMPROVEMENT ACT AMENDMENTS OF 2008

Mr. ABERCROMBIE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3352) to reauthorize and amend the Hydrographic Services Improvement Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3352

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Hydrographic Services Improvement Act Amendments of 2008”.

#### SEC. 2. DEFINITIONS.

Section 302 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892) is amended—

(1) by amending paragraph (3) to read as follows:

“(3) HYDROGRAPHIC DATA.—The term ‘hydrographic data’ means information that—

“(A) is acquired through—

“(i) hydrographic, bathymetric, photogrammetric, lidar, radar, remote sensing, or shoreline and other ocean- and coastal-related surveying;

“(ii) geodetic, geospatial, or geomagnetic measurements;

“(iii) tide, water level, and current observations; or

“(iv) other methods; and

“(B) is used in providing hydrographic services.”;

(2) by amending paragraph (4)(A) to read as follows:

“(A) the management, maintenance, interpretation, certification, and dissemination of bathymetric, hydrographic, shoreline, geodetic, geospatial, geomagnetic, and tide, water level, and current information, including the production of nautical charts, nautical information databases, and other products derived from hydrographic data;”;

(3) by striking paragraph (5).

#### SEC. 3. FUNCTIONS OF THE ADMINISTRATOR.

Section 303 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892a) is amended—

(1) in subsection (a)—

(A) by striking “the Act of 1947,” and inserting “the Coast and Geodetic Survey Act (33 U.S.C. 883a et seq.)”; and

(B) in paragraph (1) by striking “data;” and inserting “data and provide hydrographic services;”;

(2) in subsection (b)—

(A) by striking “the Act of 1947,” and inserting “the Coast and Geodetic Survey Act (33 U.S.C. 883a et seq.)”; and

(B) in paragraph (3) by striking “title IX of the Federal Property and Administrative Services Act of 1949; and” and inserting “subchapter VI of chapter 10 of title 40, United States Code;”;

(C) in paragraph (4) by striking the period and inserting “; and”; and

(D) by adding at the end the following:

“(5) may create, support, and maintain a Joint Hydrographic Institute.”;

(3) by striking subsection (c) and inserting the following:

“(c) ACQUISITION OF HYDROGRAPHIC DATA AND PROVIDE HYDROGRAPHIC SERVICES.—To the extent that it does not detract from the promotion of safe and efficient navigation, the Administrator may acquire hydrographic data and provide hydrographic services to—

“(1) support the conservation and management of coastal and ocean resources;

“(2) save and protect life and property;

“(3) support the resumption of commerce in response to emergencies, natural disasters, and man-made disasters, and

“(4) meet homeland security and maritime domain awareness needs, including carrying out mission assignments (as that term is defined in section 641 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 741)).”

#### SEC. 4. HYDROGRAPHIC SERVICES REVIEW PANEL.

Section 305 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892c) is amended—

(1) in subsection (c)(1)(A) by striking “Director” and inserting “Co-directors”;;

(2) in subsections (c)(1)(C), (c)(3), and (e) by striking “Secretary” each place it appears and inserting “Administrator”; and

(3) by amending subsection (d) to read as follows:

“(d) COMPENSATION.—Voting members of the panel shall be reimbursed for actual and reasonable expenses, including travel and per diem, incurred in the performance of duties for the panel.”

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d) is amended to read as follows:

#### “SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Administrator the following: